

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRAVELERS CASUALTY AND SURETY COMPANY as Administrator for RELIANCE INSURANCE COMPANY,	:	07 Civ. 6915 (DLC) ECF CASE
Plaintiff,	:	
-against-	:	<b>DEFENDANT KOHN PEDERSEN FOX ASSOCIATES, P.C.'S REPLY TO THE COUNTERCLAIMS AND CROSS-CLAIMS OF FOURTH-PARTY DEFENDANT HARLEYSVILLE INSURANCE COMPANY OF NEW JERSEY</b>
DORMITORY AUTHORITY - STATE OF NEW YORK, TDX CONSTRUCTION CORP. and KOHN PEDERSEN FOX ASSOCIATES, P.C.,	:	
Defendants.	X	
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DORMITORY AUTHORITY OF THE STATE OF NEW YORK and TDX CONSTRUCTION CORP.,	:	
Third-Party Plaintiffs,	:	
-against-	:	
TRATAROS CONSTRUCTION, INC.,	:	
Third-Party Defendant.	X	
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TRATAROS CONSTRUCTION, INC. and TRAVELERS CASUALTY AND SURETY COMPANY,	:	
Fourth-Party Plaintiffs,	:	
-against-	:	
CAROLINA CASUALTY INSURANCE COMPANY, <i>et al.</i> ,	:	
Fourth-Party Defendants.	X	
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 KOHN PEDERSEN FOX ASSOCIATES, P.C.,  
 :  
 Third-Party Plaintiff, :  
 :  
 -against- :  
 :  
 WEIDLINGER ASSOCIATES CONSULTING  
 ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI :  
 AND ASSOCIATES, ARCHITECTS, P.C.,  
 ARQUITECTONICA NEW YORK, P.C., COSENTINI :  
 ASSOCIATES, INC., CERMAK, PETERKA PETERSEN,  
 INC. JORDAN PANEL SYSTEMS CORP., TRATAROS :  
 CONSTRUCTION, INC. and LBL SKYSYSTEMS  
 (U.S.A.), INC., :  
 :  
 Third-Party Defendants. :  
 ----- X

Defendant Kohn Pedersen Fox Associates, P.C. (“KPF”), by its attorneys, Zetlin & De Chiara, LLP, as and for its Reply to the Counterclaims and Cross-Claims for Contribution and Indemnification of Fourth-Party Defendant Harleysville Insurance Company of New Jersey s/h/a Harleysville Mutual Insurance Company (“Harleysville”), respectfully alleges and says as follows:

1. The allegations of Harleysville’s Counterclaims and Cross-Claims state a conclusion of law to which no response is required. To the extent that a response is required, KPF denies each and every allegation set forth in Harleysville’s Counterclaims and Cross-Claims with respect to liability of KPF and otherwise denies knowledge or information sufficient to form a belief as to the alleged liability of any other party.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

2. The Counterclaims and Cross-Claims fail to state a claim against KPF upon which relief may be granted.

**WHEREFORE**, Defendant Kohn Pedersen Fox Associates, P.C. demands an Order,

- (a) Dismissing the Counterclaims and Cross-Claims of Harleysville in their entirety;
- (b) Awarding its attorneys' fees, disbursements and costs incurred in defending Harleysville's Counterclaims and Cross-Claims; and
- (c) Granting such other and further relief as to this Court shall seem just and proper.

Dated: New York, New York  
February 6, 2008

**ZETLIN & DE CHIARA LLP**  
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